

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PARKERVISION, INC.,

Plaintiff,

vs.

INTEL CORPORATION,

Defendant.

Civil Action No. 6:20-cv-00108-ADA

JURY TRIAL DEMANDED

**DEFENDANT INTEL CORPORATION'S FEBRUARY 6, 2023 SUBMISSION
REGARDING OBJECTIONS AND ISSUES TO RAISE WITH THE COURT¹**

¹ Intel reserves all objections made to PV's disclosures even if not raised in this submission.

1. ParkerVision’s Proposals Regarding Deposition Designations And Deposition Designation Disclosures Are Unworkable And Deficient.

Intel writes regarding three issues concerning the parties’ deposition designations.

First, consistent with Intel’s understanding of the Court’s typical practice, Intel has proposed that, if either side plays deposition testimony from a particular witness, all deposition testimony from that witness should be played at the same time. *See VLSI Tech. LLC v. Intel Corp.*, No. 21-cv-299, Apr. 25, 2022 Trial Tr. at 223:1-21 (THE COURT: “***I would prefer it all be at one time.*** On the other hand, [the defendant] may not decide to put on any evidence so I’ve stopped compelling the defendant to do their depositions unless they choose to. ***But if you do want to put it on the same time, if that’s the question, I would prefer to hear it at the same time.***”).² ParkerVision, on the other hand, intends to play only its affirmative designations and Intel’s counter-designations in ParkerVision’s case-in-chief (and exclude Intel’s affirmative designations on the same witnesses). Intel’s proposal is more respectful of the Court, the jurors’, and the parties’ time, as it avoids replaying the same or closely related testimony from the same witness more than once. ParkerVision’s proposal—to play testimony from the same witness at two different times during the trial—would result in significant duplication and inefficiencies.

Second, also consistent with Intel’s understanding of the Court’s typical practice, Intel has proposed that, “[f]or any deposition testimony played or read during either party’s case-in-chief, all deposition designations and counter-designations from that witness will be played or read together ***in chronological order.***” Dkt. 258, ¶75. ParkerVision rejected that proposal, instead arguing that testimony should be organized “by subject matter.” *Id.* at 12 n.3. But ParkerVision failed to disclose how it would categorize the testimony or the order of such categories. Intel’s proposal to organize testimony chronologically will help the jury understand the testimony and minimize disputes about the categorization of the testimony.

Third, the deposition videos and clip reports that ParkerVision served on Intel are deficient. Specifically, where ParkerVision has an outstanding objection to testimony counter-designated by Intel, ParkerVision simply omitted that testimony from the video and clip report.³ Intel respectfully requests that ParkerVision not be permitted to present incomplete deposition videos to the jury.

² Emphases added, unless otherwise noted.

³ Klepser Dep. at 266:25-267:05, 267:09-267:10, 267:12-267:23, 268:02-268:07, 268:11-268:21; Cook Dep. at 58:04-58:07, 59:08-59:12, 144:21-144:24, 145:02-145:03, 151:06-151:08, 151:19-151:21, 153:20-153:22, 153:25-153:25.

Dated: February 6, 2023

Respectfully submitted,

/s/ J. Stephen Ravel

Michael J. Summersgill (admitted *Pro Hac Vice*)

Sarah B. Petty (admitted *Pro Hac Vice*)

Harry Hanson (admitted *Pro Hac Vice*)

Marissa A. Lalli (admitted *Pro Hac Vice*)

Samuel C. Leifer (admitted *Pro Hac Vice*)

Alicia Coneys (admitted *Pro Hac Vice*)

WILMER CUTLER PICKERING HALE AND
DORR LLP

60 State Street

Boston, Massachusetts 02109

T (617) 526-6000

michael.summersgill@wilmerhale.com

sarah.petty@wilmerhale.com

marissa.lalli@wilmerhale.com

harry.hanson@wilmerhale.com

samuel.leifer@wilmerhale.com

alicia.coneys@wilmerhale.com

Todd Zubler (admitted *Pro Hac Vice*)

Isley M. Gostin (admitted *Pro Hac Vice*)

WILMER CUTLER PICKERING HALE AND
DORR LLP

1875 Pennsylvania Avenue NW

Washington, DC 20006

T (202) 663-6636

todd.zubler@wilmerhale.com

isley.gostin@wilmerhale.com

Mary (Mindy) V. Sooter (admitted *Pro Hac Vice*)

WILMER CUTLER PICKERING HALE AND
DORR LLP

1225 17th Street, Suite 2600

Denver, CO 80202

T (720) 274-3135

mindy.sooter@wilmerhale.com

Robert J. Gunther Jr. (admitted *Pro Hac Vice*)

WILMER CUTLER PICKERING HALE AND
DORR LLP

J. Stephen Ravel

KELLY HART & HALLMAN LLP

303 Colorado, Suite 2000

Austin, Texas 78701

T (512) 495-6429

steve.ravel@kellyhart.com

James E. Wren

Texas State Bar No. 22018200

1 Bear Place, Unit 97288

Waco, Texas 76798

T (254) 710-7670

james.wren@baylor.edu

Harry L. Gillam, Jr.

Texas State Bar No. 07921800

GILLAM & SMITH, L.L.P.

303 South Washington Avenue

Marshall, Texas 75670

Tel.: (903) 934-8450

Fax: (903) 934-9257

gil@gillamsmithlaw.com

Attorneys for Defendant Intel Corporation

7 World Trade Center
250 Greenwich Street
New York, NY 10007
T (212) 230-8800
robert.gunther@wilmerhale.com

Jason F. Choy (admitted *Pro Hac Vice*)
WILMER CUTLER PICKERING HALE AND
DORR LLP
350 South Grand Avenue, Suite 2400
Los Angeles, California 90071
T (213) 443-5300
jason.choy@wilmerhale.com

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record are being served with a copy of the foregoing document via the Court's CM/ECF system on February 6, 2023.

/s/ J. Stephen Ravel
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